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GP1644
**BOX AF
AMENDMENT AFTER FINAL
EXPEDITED PROCESSING**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Ari HINKKANEN

Serial No. 09/015,399

Filed: 29 January 1998

Examiner: M. Lubet

Group Art Unit: 1644

For: A NEW FUSION PROTEIN AND
ITS USE IN AN IMMUNOASSAY
FOR THE SIMULTANEOUS
DETECTION OF AUTOANTIBODIES
RELATED TO INSULIN-DEPENDENT
DIABETES MELLITUS

RESPONSE AFTER FINAL

OK
APR 10
M. Lubet
6-21-2000
Assistant Commissioner for Patents
Washington, DC 20231

RECEIVED
U.S. PATENT AND TRADEMARK OFFICE
MAY 22 2000
6-21-2000

Dear Sir:

In response to the Office Action mailed 28 February 2000, it is requested that the following remarks be considered.

REMARKS

The 35 U.S.C. § 103(a) Rejections

Claims 1-5, 7-10 and 17 were rejected under 35 U.S.C. § 103(a) as being obvious over Rogers et al. in view of Hummel et al., Verge et al., Rabin et al., Borg et al., Berg et al. and Wiest-Ladenburger et al.

Attached is a Declaration Under 37 C.F.R. § 131 by Applicant stating that he was in possession of the claimed invention at least as early as 22 August 1996. The exhibits attached to the Declaration indicate that Applicant had possession of the idea of using islet cell antibodies (ICAs) for an assay for diabetes at least as early as 22 August 1996. The idea included the use of a fusion protein using epitopes from different ICA proteins (see page 6 of Exhibit 3). These notes further teach that such a fusion protein could include epitopes from GAD65 and ICA 512